

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

BLUEFIELD DIVISION

THOMAS CREIGHTON SHRADER,

Petitioner,

v.

CIVIL ACTION NO. 1:25-cv-00218
(Criminal No. 1:09-cr-00270-01)

ARQIZA-RAMIREZ, *Warden*, and
UNITED STATES OF AMERICA,

Respondents.

MEMORANDUM OPINION AND ORDER

On April 3, 2025, the Petitioner, proceeding *pro se*, filed a Petition for Writ of Coram Nobis (Document 602) and a Motion to Proceed in Forma Pauperis (Document 603). By Standing Order (Document 604) entered on that date, the case was referred to the Honorable Omar J. Aboulhosn, United States Magistrate Judge, for submission to this Court of proposed findings of fact and recommendation for disposition, pursuant to 28 U.S.C. § 636.

On September 16, 2025, the Magistrate Judge submitted a *Proposed Findings and Recommendation* (Document 608) wherein it is recommended that this Court deny the Petitioner's Petition for Writ of Coram Nobis (Document 602), deny as moot the Petitioner's Motion to Proceed in Forma Pauperis (Document 603), and remove this matter from the Court's docket.


Objections to the Magistrate Judge's *Proposed Findings and Recommendation* were due by October 3, 2025.¹

Neither party has timely filed objections to the Magistrate Judge's *Proposed Findings and Recommendation*. The Court is not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the findings or recommendation to which no objections are addressed. *Thomas v. Arn*, 474 U.S. 140, 150 (1985). Failure to file timely objections constitutes a waiver of *de novo* review and a party's right to appeal this Court's Order. 28 U.S.C. § 636(b)(1); *see also Snyder v. Ridenour*, 889 F.2d 1363, 1366 (4th Cir. 1989); *United States v. Schronce*, 727 F.2d 91, 94 (4th Cir. 1984).

Accordingly, the Court **ADOPTS** and incorporates herein the findings and recommendation of the Magistrate Judge as contained in the *Proposed Findings and Recommendation*, and **ORDERS** that the Petitioner's Petition for Writ of Coram Nobis (Document 602) be **DENIED**, the Petitioner's Motion to Proceed in Forma Pauperis (Document 603) be **DENIED AS MOOT**, and this matter be **REMOVED** from the Court's docket.

The Court **DIRECTS** the Clerk to send a certified copy of this Order to Magistrate Judge Aboulhosn, counsel of record, and any unrepresented party.

ENTER: October 23, 2025


IRENE C. BERGER
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF WEST VIRGINIA

¹ The docket reflects that the *Proposed Findings and Recommendation* mailed to the Petitioner was returned as undeliverable on September 29, 2025, and was then mailed to a different address on that date. As of October 22, 2025, no objections had been filed.